

BY: COUNCILMEMBER H. LAMAR WILLIS

10-R-0775

WHEREAS, recent filings with the US Surface Transportation Board indicate clearly that railroads transport many chlorine gas railcar cargoes hundreds, even thousands of miles across the US, on routes some of which no doubt routinely traverse the City of Atlanta; and

WHEREAS, a recent statement submitted to a federal regulatory docket, by major chlorine “captive shipper” PPG Industries, indicates that railroads may have available alternative routes that can lower both the distance and the terrorism risk potentials for chlorine shipments but that the railroads can refuse to do so, instead unnecessarily forcing shipments onto routes hundreds of miles longer and through major target urban areas; and

WHEREAS, immediately after the 9/11 attacks chlorine and other ultrahazardous railcars were promptly ordered off the tracks and brought to safe havens, and subsequently, federal agencies have been quietly meeting with railroads and shippers to try to shorten chlorine and other ultrahazardous cargo routes to reduce terrorism risks; and

WHEREAS, a regulation finalized by the Bush Administration’s Federal Railroad Administration, effective December 26, 2008, provides that each individual railroad during 2009 will unilaterally analyze and select its hazardous cargo urban routes, with no significant input from state and local officials; and

WHEREAS, local and state governments have a direct interest in protecting the community from the threat of hazardous materials releases.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Atlanta hereby urges the Obama Administration and the United States Congress to revise the routing law and the routing rule to include requirements that railroads work together with state and local officials to determine the safest and most secure routes for chlorine and other hazardous cargo transport that involve all carriers.

BE IT FURTHER RESOLVED, that the City of Atlanta has a seat at the table with the railroad companies as they work on their routing analyses and selections that impact our citizens, and to assess the adequacy of the transportation security vulnerability assessments and security plans produced by the railroads for routing and storage of hazardous shipments that place our citizens at risk throughout the metropolitan Atlanta region.

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to Senators Chambliss and Isakson, Congressmen Lewis, Gingrey and Johnson, and Jo Strang, Acting Administrator, Federal Railroad Administration.